

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S7733–7774.*

**Measures Introduced:** Eight bills and two resolutions were introduced, as follows: S. 2234–2241, and S. Res. 305–306. **Pages S7770–71**

**Measures Passed:**

***Waters of the United States:*** By 53 yeas to 44 nays (Vote No. 297), Senate passed S.J. Res. 22, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of “waters of the United States” under the Federal Water Pollution Control Act. **Pages S7735–43**

***Congratulating the Kansas City Royals:*** Senate agreed to S. Res. 305, commending and congratulating the Kansas City Royals on their 2015 World Series victory. **Pages S7755–58**

***National Apprenticeship Week:*** Senate agreed to S. Res. 306, designating the week beginning November 2, 2015, as “National Apprenticeship Week”. **Page S7774**

**Measures Considered:**

**Department of Defense Appropriations Act—Agreement:** Senate continued consideration of the motion to proceed to consideration of H.R. 2685, making appropriations for the Department of Defense for the fiscal year ending September 30, 2016. **Pages S7743–55, S7758–69**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 9:30 a.m., on Thursday, November 5, 2015, with the time until 11 a.m. equally divided in the usual form; and that the vote on the motion to invoke cloture on the motion to proceed to consideration of the bill occur at 11 a.m. **Page S7774**

**Measures Placed on the Calendar:** **Page S7769**

**Executive Communications:** **Pages S7769–70**

**Additional Cosponsors:** **Pages S7771–72**

**Statements on Introduced Bills/Resolutions:**

**Pages S7772–74**

**Additional Statements:** **Page S7769**

**Authorities for Committees to Meet:** **Page S7774**

**Privileges of the Floor:** **Page S7774**

**Record Votes:** One record vote was taken today. (Total—297) **Page S7743**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 6:11 p.m., until 9:30 a.m. on Thursday, November 5, 2015. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S7774.)

### Committee Meetings

*(Committees not listed did not meet)*

#### REFORMING THE FEDERAL BUDGET PROCESS

***Committee on the Budget:*** Committee concluded a hearing to examine reforming the Federal budget process, focusing on a biennial approach to better budgeting, including S. 150, to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government, after receiving testimony from Senators Isakson and Carper; Representative David E. Price; former Speaker of the Ohio House of Representatives William G. Batchelder III, The Buckeye Institute, Columbus; and Robert L. Bixby, The Concord Coalition, Washington, D.C.

#### GAGGING HONEST REVIEWS

***Committee on Commerce, Science, and Transportation:*** Committee concluded a hearing to examine how gagging honest reviews harms consumers and the economy, after receiving testimony from Adam Medros, TripAdvisor LLC, Newton, Massachusetts; Robert D. Atkinson, Information Technology and Innovation Foundation, and Ira Rheingold, National Association of Consumer Advocates, both of Washington, D.C.; Eric Goldman, Santa Clara University School of Law, Santa Clara, California; and Jennifer Kulas Palmer, Hillsboro, Oregon.

**U.S. POLICY IN NORTH AFRICA**

*Committee on Foreign Relations:* Committee concluded a hearing to examine United States policy in North Africa, after receiving testimony from Haim Malka, Center for Strategic and International Studies Middle East Program, and William Lawrence, The George Washington University Elliott School of International Affairs, both of Washington, D.C.

**D.C. OPPORTUNITY SCHOLARSHIP PROGRAM**

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the value of education choices for low-income families, focusing on reauthorizing the D.C. Opportunity Scholarship Program, including S. 2171, to reauthorize the Scholarships for Opportunity and Results Act, after receiving testimony from Senators Feinstein and Scott; Representative Norton; Kevin P. Chavous, Serving Our Children, Mary E. Blaufuss, Archbishop Carroll High School, Gary Jones, and Linda Cruz Catalan, all of Washington, D.C.; and Christopher A. Lubienski, University of Illinois, Champaign.

**NOMINATION**

*Committee on the Judiciary:* Committee concluded a hearing to examine the nomination of Stuart F. Delery, of the District of Columbia, to be Associate Attorney General, Department of Justice, after the nominee, who was introduced by Senator Coons, testified and answered questions in his own behalf.

**AMERICAN VICTIMS OF TERRORISM**

*Committee on the Judiciary:* Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts concluded a hearing to examine the American victims of Iranian and Palestinian terrorism, after receiving testimony from Kenneth J. Stethem, Aegis Industries, LLC, Eric Lorber, and Ilan Goldenberg, both of the Center for a New American Security, Richard D. Heideman, Heideman Nudelman and Kalik, PC, and Robert Wexler, S. Daniel Abraham Center for Middle East Peace, all of Washington, D.C.; Kent A. Yalowitz, Arnold and Porter LLP, New York, New York; Orde F. Kittrie, Arizona State University, Tempe, on behalf of the Foundation for Defense of Democracies; and Daniel Miller, PediStat, Miami, Florida.

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## House of Representatives

**Chamber Action**

**Public Bills and Resolutions Introduced:** 14 public bills, H.R. 3918–3931; and 3 resolutions, H. Res. 514–516 were introduced. **Pages H7741–42**

**Additional Cosponsors:** **Pages H7742–43**

**Report Filed:** A report was filed today as follows:

H.R. 2130, to provide legal certainty to property owners along the Red River in Texas, and for other purposes, with an amendment (H. Rept. 114–327).

**Page H7741**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Thompson (PA) to act as Speaker pro tempore for today. **Page H7627**

**Recess:** The House recessed at 11:18 a.m. and reconvened at 12 noon. **Pages H7635–36**

**Hire More Heroes Act of 2015:** The House continued consideration of the Senate amendments to H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate ap-

plies under the Patient Protection and Affordable Care Act. Consideration is expected to resume tomorrow, November 5th.

**Pages H7650–52, H7653–54, H7654–H7740**

Pursuant to the Rule, no further amendments to the pending amendment, consisting of the text of Rules Committee Print 114–32 shall be in order except those printed in part A of H. Rept. 114–326. Additionally, no further amendment to the Senate amendment, as amended by H. Res. 507, shall be in order except those printed in part B of H. Rept. 114–326.

**Page H7654**

Agreed by unanimous consent that during further consideration of the Senate amendments to H.R. 22 pursuant to House Resolution 512, amendment number 23 printed in part B of H. Rept. 114–326 may be considered as though printed immediately following amendment number 9 in part B of H. Rept. 114–326.

**Page H7653**

Agreed by unanimous consent that during further consideration of the Senate amendments to H.R. 22 pursuant to House Resolution 512, amendment number 1 printed in part B of H. Rept. 114–326 may be considered out of sequence.

**Page H7654**

Agreed to:

Rothfus amendment (No. 40 printed in part B of H. Rept. 114–325) that was debated on November 3rd that seeks to exempt projects to reconstruct any road, highway, railway, bridge, or transit facility that is damaged by an emergency declared by the Governor of the State and concurred in by the Secretary of Homeland Security from any environmental reviews, approvals, licensing, and permit restrictions if reconstruction takes place in the same location and using the same design, capacity, and dimensions as before the emergency (agreed by unanimous consent to withdraw the earlier request for a recorded vote to the end that the amendment stand adopted in accordance with the previous voice vote thereon);

**Page H7650**

Ryan (OH) amendment (No. 2 printed in part A of H. Rept. 114–326) that clarifies that alternative fuel vehicles are eligible for consideration and use of funding under the Congestion Mitigation and Air Quality (CMAQ) Improvement Program;

**Pages H7654–55**

Hunter amendment (No. 3 printed in part A of H. Rept. 114–326) that facilitates the supply of domestic aggregate for nationally significant freight and highway projects;

**Pages H7655–56**

Agular amendment (No. 9 printed in part A of H. Rept. 114–326) that requires that the DOT, in coordination with DOD, implement the recommendations of a report issued by the Federal Motor Carrier Safety Administration to help veterans transition into civilian jobs driving commercial motor vehicles, including by obtaining commercial driver's license;

**Page H7661**

Larsen (WA) amendment (No. 13 printed in part A of H. Rept. 114–326), as modified, that creates an expedited process for smaller TIFIA loans backed by local revenue sources, so they can be accessible to smaller cities and counties;

**Pages H7666–68**

Meng amendment (No. 16 printed in part A of H. Rept. 114–326) that requires the Secretary to revise the crash investigation data collection system to include additional data regarding child restraint systems whenever there are child occupants present in vehicle crashes;

**Page H7668**

Edwards amendment (No. 18 printed in part A of H. Rept. 114–326) that gives USDOT authority to appoint and oversee the fed board members to the WMATA board, while currently GSA has this responsibility;

**Pages H7669–71**

Ribble amendment (No. 23 printed in part A of H. Rept. 114–326) that increases the air-mile radius from 50 air-miles to 75 air-miles for the transportation of construction materials and equipment, to satisfy the 24-hour reset period under Hours of Service rules; gives states the ability to opt out of

this increase if the distance is entirely included within the state's borders;

**Page H7674**

Schweikert amendment (No. 25 printed in part A of H. Rept. 114–326) that creates a study and report on reducing the amount of vehicles in federal fleets and replacing necessary vehicles with ride-sharing services;

**Page H7675**

Shuster en bloc amendment No. 1 consisting of the following amendments printed in part A of H. Rept. 114–326: Moore (No. 30) that express the Sense of Congress that the Department of Transportation should better enforce its existing rules requiring that small businesses owned by disadvantaged individuals are promptly paid for work satisfactorily completed on federally funded transportation projects; Graves (LA) (No. 31) that amends the nationally significant freight and highway projects program to allow consideration for projects to improve energy security and emergency evacuation routes; Polis (No. 32) that designates the freight corridor running along Route 70 from Denver, CO to Salt Lake City, UT as a 'Corridor of High Priority.'; Bonamici (No. 33) that designates the Oregon 99W Newberg-Dundee Bypass Route between Newberg, Oregon and Dayton, Oregon as a high priority corridor; Schrader (No. 34) that designates Interstate Route 205 in Oregon as a High Priority Corridor from its intersection with Interstate Route 5 to the Columbia River.; Duffy (No. 35) that increases weight limit restrictions for logging vehicles on a 13-mile stretch of I–39 to match Wisconsin state law; Crawford (No. 36) that permits specific vehicles to use a designated three miles on U.S. 63 in Arkansas during daylight hours only; the exemption would eliminate the need for construction of an access road and would qualify the entire road for the designation as Interstate 555; Fitzpatrick (No. 37) that clarifies that Section 130 funds may be used for projects that eliminate hazards posed by blocked grade crossings due to idling trains, such as when an ambulance or fire truck is blocked and unable to respond to an emergency; Lipinski (No. 38) that exempts certain welding trucks used in the pipeline industry from certain provisions under the FMCSR's; Nolan (No. 39) that permits "covered logging vehicles"—which are considered raw or unfinished forest products including logs, pulpwood, biomass, or wood chips—that have a gross vehicle weight of no more than 99,000 pounds and has no less than six-axles to operate on a 24.152 mile segment of I–35 in Minnesota; Cohen (No. 40) that allows local transit agencies that have demonstrated para-transit improvement activities the flexibility to use up to 20 percent of their Section 5307 funds; Veasey (No. 41) that clarifies that public demand response transit providers includes services for seniors and persons

with disabilities; Lipinski (No. 42) that restores local flexibility for New Starts projects; Adams (No. 43) that clarifies minority groups to be targeted in human resources outreach and brings bill text in line with existing law in Title V; Foxx (No. 44) that makes performance assessments for the Frontline Workforce Development Program consistent with assessments currently in place for similar programs authorized through the Workforce Innovation and Opportunity Act of 2014; Lawrence (No. 45) that requires the Interagency Coordination Council on Access and Mobility to submit a report to House Committee on Transportation and Infrastructure and Senate Committee on Commerce, Science, and Transportation containing the final recommendations of the Council; Moore (No. 46) that requires a GAO study on the impact of the changes made by MAP-21 to the Jobs Access and Reverse Commute (JARC) program on the ability of low-income individuals served by JARC to use public transportation to get to work; Rodney Davis (IL) (No. 47) that allows general freight to be carried by an automobile transporter on a backhaul trip only; Moore (No. 48) that allows current teen traffic safety funding to be used to support school-based driver's education classes that promote safe driving and help meet the state's graduated driving license requirements, including behind the wheel training; Crawford (No. 49) that permits two light- or medium-duty trailers to be towed together, only when empty and being delivered to a retailer for sale, subject to length and weight limitations, and operated by professional CDL drivers; Meng (No. 50) that requires that GAO perform a review of existing federal and state rules concerning school bus transportation of elementary and secondary school students, and issue recommendations on best practices for safe and reliable school bus transportation; Meng (No. 51) that adds "consumer privacy protections" to the list of items that GAO must review when issuing its public assessment of the "organizational readiness of the Department to address autonomous vehicle technology challenges," as required by section 6024 of the Rules Committee Print; Napolitano (No. 52) that requires the Secretary to consult with States to determine whether there are safety hazards or concerns specific to a State that should be taken into account when developing the regulations called for in the bill for railroad carriers to maintain a comprehensive oil spill response plan; Moulton (No. 53) that requires the Government Accountability Office (GAO) to conduct a study on the implementation and efficacy of the European Train Control System to determine the feasibility of implementing such a system throughout the national rail network of the United States; Neugebauer (No. 54) that provides an exemption for

various drivers in the agriculture industry with Class A CDLs so that they would no longer need to obtain a Hazardous Materials endorsement to transport more than 118 gallons of fuel, up to 1,000 gallons; Cummings (No. 55) that requires submission of a report on technologies for identifying track defects to improve rail safety; and Walz (No. 56) that initiates a study on the levels and structure of insurance for a railroad carrier transporting hazardous materials;

**Pages H7680–84**

Herrera Beutler amendment (No. 57 printed in part A of H. Rept. 114–326) that allows all 50 states to compete for bus and bus facility funding by eliminating the 7-state set aside High Density Bus program and transferring the funds to the nationwide Competitive Bus Grants, Sec. 5339(d);

**Pages H7684–85**

Denham amendment (No. 8 printed in part A of H. Rept. 114–326) that clarifies the intent of Congress and ensure the motor-carrier industry can operate under one standard when engaging in commerce; pre-empts a patchwork of 50 different state meal and rest break laws to provide certainty for regional carriers doing business (by a recorded vote of 248 ayes to 180 noes, Roll No. 601); **Pages H7659–61, H7688–89**

Young (IA) amendment (No. 10 printed in part B of H. Rept. 114–326) that requires the agency to disclose information on which a rule is based including data, studies, and cost-benefit analyses to the public (by a recorded vote of 236 ayes to 192 noes, Roll No. 617); **Pages H7710–12, H7718–19**

Pompeo amendment (No. 11 printed in part B of H. Rept. 114–326) that directs GAO to conduct a study on how much non-commercial jet fuel tax revenue, paid for by business and general aviation, is diverted to the Highway Trust Fund due to the "fuel fraud" tax; **Pages H7663–64, H7719**

Foster amendment (No. 12 printed in part B of H. Rept. 114–326) that requires the Department of Transportation to issue an annual report detailing how the funds authorized in the bill are divided among the states and the sources of those amounts; it would also require the Internal Revenue Service to submit an annual report to Congress detailing the tax burden of each state; **Pages H7719–20**

Williams amendment (No. 13 printed in part B of H. Rept. 114–326) that clarifies that only rental car companies whose primary business is renting vehicles are covered by the new requirements in the Senate passed version of H.R. 22; **Pages H7721–22**

Kinzinger (IL) amendment (No. 14 printed in part B of H. Rept. 114–326) that requires auto parts suppliers and manufacturers provide specific information to the Secretary to further compliance of Section 30120(j) of Title 49; information shall be made available on a public website and through databases

to ensure defective auto parts are removed from the supply chain and can be tracked if a recall is ordered;

**Pages H7722–23**

Gosar amendment (No. 19 printed in part B of H. Rept. 114–326) that removes the Administrator of the EPA from list of individuals who shall designate a council member to the Federal Permitting Improvement council in Section 61002 FEDERAL PERMITTING IMPROVEMENT COUNCIL;

**Page H7730**

Goodlatte amendment (No. 20 printed in part B of H. Rept. 114–326) that assigns to the Executive Director of the Federal Permitting Improvement Steering Council power to authorize extensions of permitting timetables, up to a total of fifty percent of the time specified in an original timetable, and to the Director of the Office of Management and Budget the power to authorize any additional extensions, subject to requirements to consult with the permit applicant and report to Congress, and makes further improvements to further streamline administrative procedures for permit review;

**Pages H7730–32**

Hensarling amendment (No. 21 printed in part B of H. Rept. 114–326) that provides regulatory relief to facilitate capital formation and to ensure greater consumer access to financial products and services; the amendment also provides for certain reforms concerning mint operations and housing; and

**Pages H7732–37**

Mullin amendment (No. 22 printed in part B of H. Rept. 114–326) that provides for a new a new title that includes sections to improve emergency preparedness for energy supply disruptions, resolve environmental and grid reliability conflicts, enhance critical electric infrastructure security, evaluate the feasibility of a strategic transformer reserve, and establish energy security valuation procedures.

**Pages H7737–40**

Rejected:

Hartzler amendment (No. 37 printed in part B of H. Rept. 114–325), as modified, that was debated on November 3rd that sought to repeal the authority of the Secretary of Transportation to approve as part of the construction of federal-aid highways the costs of landscape and roadside development (by a recorded vote of 172 ayes to 255 noes, Roll No. 594);

**Pages H7650–51**

Rooney (FL) amendment (No. 39 printed in part B of H. Rept. 114–325) that was debated on November 3rd that sought to provide that a state may allow, by special permit, the operation of vehicles with a gross vehicle weight of up to 95,000 pounds for the hauling of livestock; the cost of a special permit may not exceed \$200 per year for a livestock trailer (by a recorded vote of 185 ayes to 240 noes, Roll No. 595);

**Page H7651**

DeSaulnier amendment (No. 41 printed in part B of H. Rept. 114–325) that was debated on November 3rd that sought to establish a peer review group and a comprehensive risk management plan to prevent cost overruns and project delays for transportation mega projects exceeding \$2,500,000,000 (by a recorded vote of 169 ayes to 257 noes, Roll No. 596);

**Pages H7651–52**

Russell amendment (No. 17 printed in part A of H. Rept. 114–326) that sought to prohibit Federal financial assistance to establish, maintain, operate, or otherwise support a streetcar service; this prohibition does not apply to contracts entered into before the date of enactment of this Act;

**Pages H7668–69**

Frankel (FL) amendment (No. 19 printed in part A of H. Rept. 114–326) that sought to require Compliance, Safety, Accountability (CSA) scores to remain publicly available during the National Research Council of the National Academies study of the CSA Program required by Section 5221, add a provision to the new broker-shipper hiring standard created by Section 5224 to prohibit the hiring of “high risk carriers” as defined by the Federal Motor Carrier Safety Administration, and remove several studies;

**Page H7671**

Johnson (GA) amendment (No. 22 printed in part A of H. Rept. 114–326) that sought to strike language that sets up a new procedural criteria for an FMCSA study on minimum trucking insurance that is already underway;

**Pages H7673–74**

Schweikert amendment (No. 24 printed in part A of H. Rept. 114–326) that sought to create a pilot program for reduction of department-owned vehicles and increase in use of ride-sharing services;

**Pages H7674–75**

DeSaulnier amendment (No. 5 printed in part A of H. Rept. 114–326) that sought to direct states and metropolitan planning organizations to develop publicly available criteria to prioritize transportation projects (by a recorded vote of 171 ayes to 252 noes, Roll No. 599);

**Pages H7656–57, H7687**

Hunter amendment (No. 7 printed in part A of H. Rept. 114–326) that sought to establish a program to permit the use of live plant materials for roadside maintenance (by a recorded vote of 173 ayes to 255 noes, Roll No. 600);

**Pages H7658–59, H7687–88**

King (IA) amendment (No. 12 printed in part A of H. Rept. 114–326) that sought to require that none of the funds made available by this Act may be used to implement, administer, or enforce the prevailing rate wage requirements of the Davis-Bacon Act (by a recorded vote of 188 ayes to 238 noes, Roll No. 602);

**Pages H7664–65, H7689**

Culberson amendment (No. 14 printed in part A of H. Rept. 114–326) that sought to require local transit entity to have a debt to equity ratio of at

least 1:1 in order to be eligible for federal funds (by a recorded vote of 116 ayes to 313 noes, Roll No. 603);

**Pages H7689–90**

Lewis amendment (No. 21 printed in part A of H. Rept. 114–326) that sought to strike the graduated commercial drivers license program language in H.R. 3763 and replaces it with a study on the safety of intrastate teen truck drivers (by a recorded vote of 181 ayes to 248 noes, Roll No. 604);

**Pages H7672–73, H7690–91**

Reichert amendment (No. 26 printed in part A of H. Rept. 114–326) that sought to request a GAO study on the economic impact of contract negotiations at ports on the west coast (by a recorded vote of 200 ayes to 228 noes, Roll No. 605);

**Pages H7675–77, H7691**

DeSantis amendment (No. 29 printed in part A of H. Rept. 114–326) that sought to empower States with authority for most taxing and spending for highway programs and mass transit programs, and for other purposes (by a recorded vote of 118 ayes to 310 noes, Roll No. 606);

**Pages H7678–80, H7691–92**

Perry amendment (No. 1 printed in part B of H. Rept. 114–326) that sought to increase by 5 percent each fiscal year for four years, the percent amount that Ex/Im should make available for small businesses; if they do not comply, they are barred for issuing any loans over \$100,000,000 (by a recorded vote of 121 ayes to 303 noes, Roll No. 607);

**Pages H7692–94, H7712**

Mulvaney amendment (No. 2 printed in part B of H. Rept. 114–326) that sought to limit Export-Import Bank authorizations to countervailing purposes in order to meet competition from foreign export credit agencies (by a recorded vote of 117 ayes to 309 noes, Roll No. 608);

**Pages H7694–95, H7712–13**

Mulvaney amendment (No. 3 printed in part B of H. Rept. 114–326) that sought to require Export-Import Bank authorizations above \$10,000,000 to be contingent on at least two denials of similar assistance from the private sector; stipulates penalties for making false claims when seeking Bank assistance (by a recorded vote of 124 ayes to 302 noes, Roll No. 609);

**Pages H7695–97, H7713–14**

Mulvaney amendment (No. 4 printed in part B of H. Rept. 114–326) that sought to prohibit Export-Import Bank authorizations involving countries with a sovereign wealth fund of over \$100,000,000,000 (by a recorded vote of 116 ayes to 308 noes, Roll No. 610);

**Pages H7697–99, H7714**

Mulvaney amendment (No. 5 printed in part B of H. Rept. 114–326) that sought to reduce taxpayer exposure by removing Treasury guarantees for losses at the Export-Import Bank and removes borrowing

authority from the Treasury (by a recorded vote of 117 ayes to 308 noes, Roll No. 611);

**Pages H7699–H7701, H7714–15**

Mulvaney amendment (No. 6 printed in part B of H. Rept. 114–326) that sought to limit taxpayer exposure by ensuring diversification of industries and companies at the Export-Import Bank (by a recorded vote of 114 ayes to 314 noes, Roll No. 612);

**Pages H7701–03, H7715–16**

Rothfus amendment (No. 7 printed in part B of H. Rept. 114–326) that sought to prohibit the Export Import Bank from providing a guarantee or extending credit to a foreign borrower in connection with the export of goods or services by a U.S. company unless the U.S. company guarantees repayment of, and pledges collateral in an amount sufficient to cover, a percentage of the amount provided by the Bank and makes that guarantee senior to any other obligation; the amendment provides an exception to this requirement for small businesses (by a recorded vote of 115 ayes to 313 noes, Roll No. 613);

**Pages H7703–05, H7716**

Royce amendment (No. 8 printed in part B of H. Rept. 114–326) that sought to prohibits Export-Import Bank assistance to state-sponsors of terrorism; the current prohibition under the Foreign Assistance Act is subject to low threshold waivers by the President (by a recorded vote of 183 ayes to 244 noes, Roll No. 614);

**Pages H7705–07, H7716–17**

Schweikert amendment (No. 9 printed in part B of H. Rept. 114–326) that sought to add Fair Value Accounting Principles to the EX–IM provision of the underlying bill (by a recorded vote of 133 ayes to 295 noes, Roll No. 615) and

**Pages H7707–08, H7717–18**

Westmoreland amendment (No. 23 printed in part B of H. Rept. 114–326) that sought to allow companies to appeal their economic harm protest directly to the Export-Import Bank Board of Directors (by a recorded vote of 129 ayes to 298 noes, Roll No. 616).

**Pages H7708–10, H7718**

Withdrawn:

Cartwright amendment (No. 6 printed in part A of H. Rept. 114–326) that was offered and subsequently withdrawn that would have struck Subtitle C, except section 1314;

**Pages H7657–58**

Hahn amendment (No. 10 printed in part A of H. Rept. 114–326) that was offered and subsequently withdrawn that would have directed the Secretary to conduct a study of the feasibility, costs, and economic impact of burying power lines underground;

**Pages H7661–63**

Heck (WA) amendment (No. 11 printed in part A of H. Rept. 114–326) that was offered and subsequently withdrawn that would have required the Department of Transportation to develop a set of best

practices for the installation and maintenance of green stormwater infrastructure, and assist any state requesting help to develop a stormwater management plan by providing guidance based on those best practices; **Pages H7663–64**

Duncan (TN) amendment (No. 20 printed in part A of H. Rept. 114–326), as modified, that was offered and subsequently withdrawn that would have clarified that motor carriers who have not been prioritized for a compliance review by FMCSA due to their safe operations are equal in safety status to “satisfactory” rated carriers; **Pages H7671–72**

Newhouse amendment (No. 27 printed in part A of H. Rept. 114–326) that was offered and subsequently withdrawn that would have directed the Bureau of Transportation Statistics (BTS) to establish a port performance statistics program, with quarterly reports to Congress; the program will collect basic uniform data on port performance and provide empirical visibility into how U.S. ports are operating, identify key congestion issues, and ensure U.S. commerce continues to flow efficiently; and **Pages H7677–78**

Chabot amendment (No. 58 printed in part A of H. Rept. 114–326) that was offered and subsequently withdrawn that would have amended certain sections of Title 49 of the US Code to increase penalties relating to commercial motor vehicle safety. **Pages H7685–86**

#### Proceedings Postponed:

Schakowsky amendment (No. 15 printed in part B of H. Rept. 114–326) that seeks to improve quality and quantity of information shared about vehicle safety issues among auto manufacturers, NHTSA, and consumers. Also improves the quality and quantity of safety information provided about used cars at point of sale; **Pages H7723–25**

Mullin amendment (No. 16 printed in part B of H. Rept. 114–326) that seeks to require the Administrator of the Environmental Protection Agency to ensure that in promulgating regulations any preference or incentive provided to electric vehicles is also provided to natural gas vehicles; **Pages H7725–26**

Burgess amendment (No. 17 printed in part B of H. Rept. 114–326) that seeks to modify and add certain provisions to the Senate amendments dealing with the National Highway Traffic Safety Administration; and **Pages H7726–28**

Neugebauer amendment (No. 18 printed in part B of H. Rept. 114–326) that seeks to execute a liquidation of the Federal Reserve surplus account and remittance of funds to the U.S. Treasury; the amendment also dissolves the existence of the surplus account on a go-forward basis; and the amendment ensures future net earnings of the Federal Reserve, in

excess of dividend paid, are remitted to the U.S. Treasury. **Pages H7728–30**

The amendment consisting of the text of Rules Committee Print 114–32, as amended by H. Res. 507, was agreed to by voice vote.

H. Res. 512, the rule providing for further consideration of the Senate amendments to the bill (H.R. 22) was agreed to by a recorded vote of 243 ayes to 183 noes, Roll No. 598, after the previous question was ordered by a yea-and-nay vote of 241 yeas to 183 nays, Roll No. 597.

**Pages H7614–50, H7652–53**

**Meeting Hour:** Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, November 5th. **Page H7741**

**Select Investigative Panel of the Committee on Energy and Commerce—Appointment:** The Chair announced the Speaker’s appointment of the following Members to the Select Investigative Panel of the Committee on Energy and Commerce: Representatives Schakowsky, Nadler, DeGette, Speier, DelBene, and Watson Coleman. **Page H7741**

**Quorum Calls—Votes:** One yea-and-nay vote and twenty three recorded votes developed during the proceedings of today and appear on pages H7650–51, H7651, H7651–52, H7652–53, H7653, H7687, H7687–88, H7688–89, H7689, H7689–90, H7690–91, H7691, H7691–92, H7712, H7712–13, H7713–14, H7714, H7714–15, H7715–16, H7716, H7716–17, H7717–18, H7718, and H7718–19. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 1:05 a.m. on Thursday, November 5, 2015.

## Committee Meetings

### AMERICAN AGRICULTURE AND OUR NATIONAL SECURITY

*Committee on Agriculture:* Full Committee held a hearing entitled “American Agriculture and Our National Security”. Testimony was heard from public witnesses.

### MISCELLANEOUS MEASURES

*Committee on Energy and Commerce:* Subcommittee on Health concluded a markup on H.R. 2017, the “Common Sense Nutrition Disclosure Act of 2015”; H.R. 2446, to amend title XIX of the Social Security Act to require the use of electronic visit verification for personal care services furnished under the Medicaid program; H.R. 2646, the “Helping Families in Mental Health Crisis Act”; H.R. 3014, the “Medical Controlled Substances Transportation Act”; H.R. 3537, the “Synthetic Drug Control Act

of 2015”; H.R. 3716, the “Ensuring Terminated Providers Are Removed from Medicaid and CHIP Act”; and H.R. 3821, the “Medicaid Directory of Caregivers Act”. The following bills were forwarded to the full committee, without amendment: H.R. 3014 and H.R. 3537. The following bills were forwarded to the full committee, as amended: H.R. 2446, H.R. 3716, H.R. 3821, H.R. 2017, and H.R. 2646.

#### **SEMI-ANNUAL TESTIMONY ON THE FEDERAL RESERVE’S SUPERVISION AND REGULATION OF THE FINANCIAL SYSTEM**

*Committee on Financial Services:* Full Committee concluded a markup on H.R. 1309, the “Systemic Risk Designation Improvement Act of 2015”; H.R. 1478, the “Policyholder Protection Act of 2015”; H.R. 1550, the “Financial Stability Oversight Council Improvement Act of 2015”; H.R. 2209, to require the appropriate Federal banking agencies to treat certain municipal obligations as level 2A liquid assets, and for other purposes; H.R. 3340, the “Financial Stability Oversight Council Reform Act”; H.R. 3557, the “FSOC Transparency and Accountability Act”; H.R. 3738, the “Office of Financial Research Accountability Act of 2015”; H.R. 3868, the “Small Business Credit Availability Act”; H.R. 3857, to require the Board of Governors of the Federal Reserve System and the Financial Stability Oversight Council to carry out certain requirements under the Financial Stability Act of 2010 before making any new determination under section 113 of such Act, and for other purposes; and a hearing entitled “Semi-Annual Testimony on the Federal Reserve’s Supervision and Regulation of the Financial System”. The following bills were ordered reported, without amendment: H.R. 1309, H.R. 1550, H.R. 2209, H.R. 3557, H.R. 3738, and H.R. 3857. The following bills were ordered reported, as amended: H.R. 1478, H.R. 3340, and H.R. 3868. Testimony was heard from Janet L. Yellen, Chair, Board of Governors of the Federal Reserve System.

#### **U.S. POLICY AFTER RUSSIA’S ESCALATION IN SYRIA**

*Committee on Foreign Affairs:* Full Committee held a hearing entitled “U.S. Policy after Russia’s Escalation in Syria”. Testimony was heard from Anne W. Patterson, Assistant Secretary, Bureau of Near Eastern Affairs, Department of State; and Victoria Nuland, Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State.

#### **DEMANDING ACCOUNTABILITY: EVALUATING THE 2015 ‘TRAFFICKING IN PERSONS REPORT’**

*Committee on Foreign Affairs:* Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled “Demanding Accountability: Evaluating the 2015 ‘Trafficking in Persons Report’”. Testimony was heard from Kari Johnstone, Principal Deputy Director, Office to Monitor and Combat Trafficking in Persons, Department of State; James Carouso, Acting Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State; Alex Lee, Deputy Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; and a public witness.

#### **CHALLENGE TO EUROPE: THE GROWING REFUGEE CRISIS**

*Committee on Foreign Affairs:* Subcommittee on Europe, Eurasia, and Emerging Threats held a hearing entitled “Challenge to Europe: The Growing Refugee Crisis”. Testimony was heard from public witnesses.

#### **A NEW APPROACH TO INCREASE TRADE AND SECURITY: AN EXAMINATION OF CBP’S PUBLIC PRIVATE PARTNERSHIPS**

*Committee on Homeland Security:* Subcommittee on Border and Maritime Security held a hearing entitled “A New Approach to Increase Trade and Security: An Examination of CBP’s Public Private Partnerships”. Testimony was heard from John Wagner, Deputy Assistant Commissioner, Office of Field Operations, U.S. Customs and Border Protection, Department of Homeland Security; Michael Gelber, Deputy Commissioner, Public Buildings Service, General Services Administration; David A. Garcia, County Administrator, Cameron County, Texas; and a public witness.

#### **MISCELLANEOUS MEASURES**

*Committee on Homeland Security:* Full Committee held a markup on H.R. 2285, the “Prevent Trafficking in Cultural Property Act”; H.R. 2795, the “First Responder Identification of Emergency Needs in Disaster Situations Act”; H.R. 3842, the “Federal Law Enforcement Training Centers Reform and Improvement Act of 2015”; H.R. 3859, the “HSA Technical Corrections Act”; H.R. 3875, the “Department of Homeland Security CBRNE Defense Act of 2015”; H.R. 3869, the “State and Local Cyber Protection Act of 2015”; and H.R. 3878, the “Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2015”. The following bills were ordered reported, without amendment: H.R. 3859



and H.R. 3869. The following bills were ordered reported, as amended: H.R. 2285, H.R. 2795, H.R. 3842, H.R. 3875, and H.R. 3878.

#### LEGISLATIVE MEASURES

*Committee on Natural Resources:* Subcommittee on Federal Lands held a hearing on H.R. 1815, the “Eastern Nevada Implementation Improvement Act”; and H.R. 3342, to provide for the stability of title to certain lands in the State of Louisiana. Testimony was heard from Representatives Hardy and Fleming; and Steve Ellis, Deputy Director, Bureau of Land Management, Department of Interior.

#### LEGISLATIVE MEASURES

*Committee on Natural Resources:* Subcommittee on Energy and Mineral Resources held a hearing on H.R. 3843, the “Locatable Minerals Claim Location and Maintenance Fees Act of 2015”; and H.R. 3844, the “Energy and Minerals Reclamation Foundation Establishment Act of 2015”. Testimony was heard from Eric Cavazza, Director, Bureau of Abandoned Mine Reclamation, Pennsylvania Department of Environmental Protection; Geoffrey S. Plumlee, Research Geochemist Environment, Human Health, and Disasters, U.S. Geological Survey; and public witnesses.

#### LEGISLATIVE MEASURES

*Committee on Natural Resources:* Subcommittee on Indian, Insular and Alaska Native Affairs held a hearing on H.R. 2009, the “Pascua Yaqui Tribe Land Conveyance Act of 2015”; H.R. 2719, the “Tribal Coastal Resiliency Act”; and H.R. 3079, to take certain Federal land located in Tuolumne County, California, into trust for the benefit of the Tuolumne Band of Me-Wuk Indians, and for other purposes. Testimony was heard from Representative Kilmer; Michael Smith, Deputy Director, Field Operations, Bureau of Indian Affairs, Department of Interior; Glenn Casamassa, Associate Deputy Chief, National Forest Systems, U.S. Forest Service, Department of Agriculture; and public witnesses.

#### THE FEDERAL INFORMATION TECHNOLOGY REFORM ACT’S (FITARA) ROLE IN REDUCING IT ACQUISITION RISK, PART II—MEASURING AGENCIES’ FITARA IMPLEMENTATION

*Committee on Oversight and Government Reform:* Subcommittee on Information Technology; and Subcommittee on Government Operations, held a joint hearing entitled “The Federal Information Technology Reform Act’s (FITARA) Role in Reducing IT Acquisition Risk, Part II—Measuring Agencies’ FITARA Implementation”. Testimony was heard from Tony Scott, U.S. Chief Information Officer, Of-

fice of E-Government and Information Technology, Office of Management and Budget; Sonny Bhagowalia, Chief Information Officer, Department of the Treasury; Richard McKinney, Chief Information Officer, Department of Transportation; David Shive, Chief Information Officer, General Services Administration; and David A. Powner, Director, IT Management Issues, Government Accountability Office.

#### AN EXAMINATION OF CONTINUED CHALLENGES IN VA’S VETS FIRST VERIFICATION PROCESS

*Committee on Veterans’ Affairs:* Subcommittee on Oversight and Investigations; and Subcommittee on Contracting and Workforce of the House Committee on Small Business, held a joint hearing entitled “An Examination of Continued Challenges in VA’s Vets First Verification Process”. Testimony was heard from William Shear, Director, Financial Markets and Community Investment, Government Accountability Office; Quentin Aucoin, Assistant Inspector General for Investigations, Department of Veterans Affairs; and Tom Leney, Executive Director, Office of Small and Disadvantaged Business Utilization, Department of Veterans Affairs.

#### PRESIDENTIAL AUTHORITY TO WAIVE ANTI-TERROR PROVISIONS IN THE TAX CODE WITH RESPECT TO IRAN

*Committee on Ways and Means:* Subcommittee on Oversight held a hearing on presidential authority to waive anti-terror provisions in the tax code with respect to Iran. Testimony was heard from public witnesses.

### Joint Meetings

#### SOCIAL SECURITY DISABILITY INSURANCE PROGRAM

*Joint Economic Committee:* Committee concluded a hearing to examine ensuring success for the Social Security Disability Insurance program and its beneficiaries, after receiving testimony from Patrick P. O’Carroll, Jr., Inspector General, Social Security Administration; Mark G. Duggan, Stanford University Institute for Economic Policy Research, Stanford, California; and Rebecca D. Vallas, Center for American Progress, Washington, D.C.

**COMMITTEE MEETINGS FOR THURSDAY,  
NOVEMBER 5, 2015**

*(Committee meetings are open unless otherwise indicated)*

**Senate**

*Committee on Agriculture, Nutrition, and Forestry:* to hold hearings to examine wildfire, focusing on stakeholder perspectives on budgetary impacts and threats to natural resources on Federal, state, and private lands, 10 a.m., SR-328A.

*Committee on Armed Services:* to hold hearings to examine revisiting the roles and missions of the armed forces, 9:30 a.m., SD-G50.

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Regulatory Affairs and Federal Management, to hold hearings to examine agency progress in retrospective review of existing regulations, 9:30 a.m., SD-342.

*Committee on the Judiciary:* business meeting to consider the nominations of Rebecca Goodgame Ebinger, to be United States District Judge for the Southern District of Iowa, Leonard Terry Strand, of South Dakota, to be United States District Judge for the Northern District of Iowa, Julien Xavier Neals, to be United States District Judge for the District of New Jersey, Gary Richard Brown, to be United States District Judge for the Eastern District of New York, and Mark A. Young, to be United

States District Judge for the Central District of California, 10 a.m., S-216, Capitol.

*Select Committee on Intelligence:* to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

**House**

*Committee on Energy and Commerce,* Subcommittee on Oversight and Investigations, hearing entitled “Examining the Costly Failures of Obamacare’s CO-OP Insurance Loans”, 10 a.m., 2322 Rayburn.

*Committee on Foreign Affairs,* Full Committee, markup on H.R. 2241, the “Global Health Innovation Act of 2015”; H.R. 2845, the “African Growth and Opportunity Act Enhancement Act of 2015”; H.R. 3750, the “First Responders Passport Act of 2015”; and H.R. 3766, the “Foreign Aid Transparency and Accountability Act of 2015”, 10 a.m., 2172 Rayburn.

*Committee on Oversight and Government Reform,* Subcommittee on National Security, hearing entitled “Iran’s Power Projection Capability”, 9 a.m., 2154 Rayburn.

*Committee on Science, Space, and Technology,* Full Committee, hearing entitled “Examining EPA’s Predetermined Efforts to Block the Pebble Mine”, 10 a.m., 2318 Rayburn.

**Joint Meetings**

*Commission on Security and Cooperation in Europe:* to receive a briefing on the rule of law and civil society in Azerbaijan, 2 p.m., 311, Cannon Building.

*Next Meeting of the SENATE*

9:30 a.m., Thursday, November 5

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Thursday, November 5

## Senate Chamber

**Program for Thursday:** Senate will continue consideration of the motion to proceed to consideration of H.R. 2685, Department of Defense Appropriations Act, with a vote on the motion to invoke cloture on the motion to proceed to consideration of the bill at 11 a.m.

## House Chamber

**Program for Thursday:** Complete consideration of Senate amendments to H.R. 22—Hire More Heroes Act of 2015.

## Extensions of Remarks, as inserted in this issue

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